United Nations A/HRC/WG.6/27/BRA/3

General Assembly

Distr.: General
24 February 2017
English
Original: English/French/Spanish

**Human Rights Council**
**Working Group on the Universal Periodic Review**
**Twenty-seventh session**
1-12 May 2017

# Summary of other stakeholders' submissions on Brazil*

## Report of the Office of the United Nations High Commissioner for Human Rights

## I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 53 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

## II. Information provided by stakeholders

### A. Scope of international obligations[2] and cooperation with international human rights mechanisms and bodies[3]

2. Regarding recommendations 119.7 and 119.8,[4] Joint Submission (JS)16 stated that Brazil has yet to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families owing to a failure on the part of both parliamentarians and the Federal Government to prioritize the issue.[5] JS9 noted that the adaptation of its legislation in line with the provisions of the Palermo Protocol was still pending.[6]

3. Regarding recommendation 119.10,[7] JS18 noted that Brazil committed to ratifying ILO Convention No. 87 concerning freedom of association and protection of the right to organise; however, Brazil had not implemented the recommendation.[8]

### B. National human rights framework[9]

4. JS11 asserted that Brazil has regressed 20 years in institutional terms since the Human Rights Secretariat lost its ministerial status and became a special secretariat within the entity now called the Ministry of Justice and Civic Affairs. The Ministry has taken steps to freeze spending by means of Order No. 611/2016, which has an impact on all the Secretariat's resources, now that it no longer has ministerial autonomy.[10]

* The present document was not edited before being sent to United Nations translation services.

GE.17-01936 (E) 080317 090317
*1701936*

Please recycle

5. Regarding recommendations 119.4 and 119.5,[11] Centro de Estudos sobre Justiça de Transição (CJT) noted that it had been recommended that Brazil fully align its national legislation with all obligations under the Roma Statute; however, Brazil did not adopt specific legislation in order to incorporate its obligations.[12]

## C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

### 1. Cross cutting issues

*Equality and non-discrimination*[13]

6. JS6 reported that cases of racism and discrimination against indigenous persons and peoples had increased. The action of parliamentarians from the ruralist and anti-indigenous groups had grown over the last four years, part of a context involving attempts to erode indigenous rights and propagate untruths against indigenous peoples.[14]

7. JS15 reported the humiliation, the fear and the physical and psychological intimidation suffered by LGBT people, including young people and teenagers in school and university environments and the discrimination suffered by homo-affective families.[15]

*Development, environment and business and human rights*[16]

8. JS11 claimed that the new Government has put forward proposals to "amend" the Constitution that effectively undermine safeguards of rights, such as proposed constitutional amendment No. 55/2016,[17] which would freeze social spending for 20 years and delink mandated expenditures on education and health.[18]

9. JS9 stated that if the PEC55 passed it will disrupt the financing of Brazilian social policies by eliminating the earmarking of revenues for education and the social protection budget, comprised of health policies, social security and social assistance.[19]

10. Global Compact stated that Brazil should support initiatives and strategies to combat discrimination and promote the inclusion of people with disabilities, women, LGBT, refugees, developed by companies and the various levels of government, in cooperation with civil society.[20] It noted that Brazil should promote the UN Guiding Principles on Business and Human Rights to government bodies that were not traditionally active in the area of human rights.[21]

11. JS14 stated that Brazil faced many human rights and environmental challenges, for example in the recent cases of dams rupture happened in Jacarei or Mariana, questioning the effectiveness of Brazilian legal prevention mechanisms, pollution control and the environmental liability law.[22]

12. In the case of Mariana, JS22 noted that a settlement agreement "Term Adjustment of Conduct" between the three companies and Brazilian authorities was suspended by a ruling of the Superior Court of Justice, dated July 2016. This decision was based on the Brazilian State's duty to repair, as well as the illegitimacy of an agreement that did not involve the meaningful participation of communities.[23]

13. JS22 reported the scrapping of the environmental monitoring activity capacity with the reduced number of civil servants in charge of monitoring the environmental licensing of polluting activities, as well as the environmental management of its impacts.[24]

14. JS14 asserted that human rights were violated in the Brazilian Amazon as a result of illegal burning.[25] JS22 drew attention to the Proposed Amendment to the Constitution (PEC) No 65/2012 as one of the main signs against the protection of the environment and human rights, as it reduces the environmental licensing procedure from three to one single step.[26] Oceania Human Rights (OHR) raised the issue of climate change and human rights.[27]

*Human rights and counter-terrorism*

15. JS18 noted that although the newly adopted Anti-Terrorist Law explicitly states that its provisions "do not apply to the individual or collective behaviour of persons involved in political demonstrations or social, union, religious, class or professional movements moved by social or petitioning aims", it was feared that its wide definition of what constitutes a terrorist act could be used against human rights defenders.[28] JS 24 stated that, despite some changes, the Anti-Terrorism law still presented substantial risk to the right to protest and to social movements' freedom of assembly.[29]

## 2. Civil and Political Rights

*Right to life, liberty and security of the person*[30]

16. Amnesty International (AI) noted that Brazil supported recommendations to take measures aimed at ending extrajudicial executions by the security forces; however, killings at the hands of the police had continued, particularly in the context of the so-called "war on drugs". Counter-narcotic operations in *favelas* (urban slums), had been accompanied by the use of force, in many instances, resulting in an excessive use of force or extrajudicial executions.[31]

17. CONECTAS acknowledged that Brazil had taken a symbolic step towards putting an end to the 'resistance' classification in police reports used to cover up executions. The joint resolution of the Higher Police Council and the National Council of Civil Police Chiefs, also established the procedures to be followed in cases of deaths or bodily injury caused by police officers.[32] CONECTAS asserted that to stop executions by police, some measures were needed: independence of forensic bodies; independent internal affairs bodies and ombudsman; police oversight by the Public Prosecutor's Office; reform of the model of militarized policing; and ending the 'resistance' classification[33]

18. JS6 and Unrepresented Nations and Peoples Organization (UNPO) noted the violence perpetrated against indigenous communities with impunity, unjustified imprisonments and deaths of indigenous leaders, in a context of disputes over their territorial rights.[34] Davida: Prostituição, Direitos Civis e Saúde (DAVIDA) reported human rights violations by police officers, especially against trans-sex workers.[35]

19. JS18 stated that excessive force and arbitrary arrest were used against demonstrators during the 2013 anti-government protests, the 2014 Football World Cup, and during the 2016 Rio Olympics. Violations included the failure of police to identify themselves, arbitrary detentions, disproportionate deployment of police officers, disproportionate use of less-lethal weapons and, in at least four demonstrations, the use of lethal weapons.[36] JS21 and AI reported that journalists covering these demonstrations faced destruction of their equipment, prevention from covering the protests, physical violence and arbitrary detentions.[37]

20. AI noted that Brazil further committed to take measures to combat and prevent torture and other ill-treatment; however, torture and violence remained endemic in Brazil's prisons as did severe overcrowding and degrading conditions. In Pedrinhas prison 60 detainees were killed by other detainees in 2013.[38] Omega Research Foundation noted that Brazil received recommendations regarding measures to prevent and combat torture; however, people in places of detention were regularly subjected to torture and other forms of ill-treatment.[39]

21. AI stated that Brazil supported recommendations to guarantee the independence and autonomy of the national preventive mechanism; however, Brazil's national preventive mechanism did not comply with international standards in terms of its independence.[40] Omega Research Foundation asserted that the National Mechanism was under-staffed and its functional independence could be compromised due its workspace and a sole source of funding.[41] CONECTAS stated that the Federal Government must facilitate and finance the creation of integrated state systems against torture.[42]

22. JS17 noted that the National Penitentiary Department revealed that in December 2014, there were 622,202 people in prison, making it the fourth largest prison population in

the world.[43] JS 17 added that women represented 5.8% of the total prison population and the growth rate of the number of women in jail was alarming.

23. Around 64% of the crimes for which women were detained were related to drug trafficking. It reported the aversion of women to serving sentences in the open system in São Paulo due to being sexually abused by correctional officers.[44] Association "Comunita Papa Giovanni XXIII (APG23) noted problems of social integration of prisoners and their families.[45] JS17 highlighted that young black persons were overrepresented in the penitentiary system.[46]

24. Human Rights Watch (HRW) noted that juvenile centers held close to 22,000 children in 2014, but had capacity for only 18,000.[47] JS20 noted that there were frequent cases of uprisings, escape, torture and ill-treatment, overcrowding, lack of access to medical treatment and denial of the right to education. Violations were reported in Ceará, Rio Grande do Sul and Pernambuco.[48]

*Administration of justice, including impunity, and the rule of law*[49]

25. HRW highlighted that the prosecutor´s offices in a few states had taken important steps to address police violence by establishing special units to investigate cases of police abuse; however, further steps should be taken to implement recommendations 119.65, 119.122 and 119.123.[50]

26. JS17 noted that the introduction of custody hearings in Brazil was important regarding pretrial detention, and tackling prison overcrowding. Through custody hearings, it is mandatory to bring the detainee before a judge up to a maximum of 24 hours after the arrest, ensuring an effective control of the legal basis of the detention.[51] CONECTAS added that it could be a tool in preventing street torture.[52] JS17 stated that the Supreme Court decision that custody hearings must be established in all the territory remained unobserved.[53]

27. JS17 acknowledged the law 12.403/2011which made available a series of alternative measures determining that judges observe the necessity of pretrial detention.[54]

28. Associação Juízes para a Democracia (AJD) reported violations of the functional independence and freedom of expression of judges working in the area of civil liberties.[55]

29. JS24 reported that impunity was a major factor that indirectly promoted violence against journalists.[56] JS2 noted that Brazil accepted recommendations on combating impunity; however, of the 25 print and internet journalists and bloggers killed between January 2004 and August 2016, 21 cases remained unpunished.[57]

30. JS6 and JS7 reported that the judgment on the Raposa Serra do Sol case by the Federal Supreme Court resulted in a growth of legal actions against demarcations of indigenous lands.[58] JS7 warned that in most actions the indigenous peoples were not even called to be parties in such cases and defend or express themselves.[59]

31. JS21 noted that the legal instrument known as a "suspension of preliminary injunction", which gives the State the right to petition directly to the Presidents of the High Courts for the suspension of preliminary court orders, on the grounds of public interest, had been used to ensure the undertaking of large-scale constructions.[60]

32. Regarding the right to truth, CJT noted that the judiciary was a barrier in the search for criminal responsibility for human rights violations; therefore recommendation 119.115[61] had not yet been followed.[62]

33. HRW observed little progress in prosecuting those responsible for atrocities committed by state agents during the military dictatorship period (1964-1985).[63] CJT acknowledged that the delivery of the *Comissão Nacional da Verdade's* (CNV) final report in December 2014 was a mark in the history of the truth-seeking process in Brazil; however recommendations 119.124, 119.125 and 119.126[64] had been partially implemented.[65]

*Fundamental freedoms and the right to participate in public and political life*[66]

34. Reporters Without Borders (RSF-RWB) acknowledged the law on access to public information as exemplary legislation, but asked for its correct implementation at the state and municipal levels.[67]

35. Regarding recommendation 119.130[68] on freedom of expression, JS18 noted a mixed implementing record; while in 2014 the so-called Marco Civil da Internet, was a decisive step forward, bill 215/2015, under consideration by Congress, would be a setback.[69]

36. RSF-RWB acknowledged that the *Marco Civil da Internet* that regulates the Internet and protects online privacy and free speech put Brazil at the forefront of online civil rights protection in Latin America.[70] JS2 acknowledged that Brazil had emerged as a global champion of digital rights.[71] Meanwhile, JS24 reported that the implementation of the *Marco Civil da Internet* had been inadequate.[72] AccessNow expressed that some articles could negatively impact internet users' rights.[73]

37. JS2 noted that Judiciary had clashed with large technology companies.[74] JS24 indicated that in 2015 and 2016, courts authorised blocking the mobile telephone application WhatsApp, because it refused to provide access to users' conversations for criminal investigation.[75] AccessNow noted that although higher courts' decisions overturned them; they had serious negative impacts.[76]

38. JS18 noted that Brazil received twelve recommendations on the protection of human rights defenders, journalists and civil society and five concerning indigenous peoples; none of the recommendations had been fully implemented.[77]

39. JS24 noted that the violence against journalists had increased, reporting that in 2015 the number of violations increased by 67% in comparison to 2014.[78]

40. JS2 welcomed the establishment of a working group to investigate attacks on the press and provide recommendations.[79] RSF-RWB noted that Brazil had implemented none of the recommendations of the working group's final report.[80]

41. JS18 reported that Brazil's National Programme for the Protection of Human Rights Defenders was restructured by decree in 2016; meanwhile a law introduced in Congress in 2009 in order to institutionalise the program had not been passed.[81] JS2 considered that this Programme failed to address the systemic reasons behind the violence.[82]

42. JS18, JS21 and Cultural Survival stated that targeted extra-judicial killings of indigenous and environmental rights defenders had continued.[83] JS6 indicated that some indigenous persons registered under the Protection Program had denounced the program's lack of effective support.[84] DAVIDA registered the case of a sex worker leader who was denied entrance into the National Program to Protect Human Rights Defenders.[85]

43. JS24 reported the National Plan for Community Broadcasting Concessions of 2015 required better coordination of the allocation of frequencies to community radios.[86]

44. JS6 and Cultural Survival reported that for 30 years Brazil has had only one indigenous representative in the National Congress.[87]

*Prohibition of all forms of slavery*[88]

45. JS9 asserted that Brazil became an international reference in the fight against forced labour.[89] JS13 stated that there were still people in situations of slavery in Brazil, most of them in rural areas but also some in the textile and construction industries in urban areas.[90]

46. JS13 asserted that Brazil has gone ahead with the constitutional amendment authorizing the expropriation of properties where slave labour is observed; however, regulations have yet to be adopted. JS13 noted that there are groups in Congress who wish to amend the concept of "slave labour" contained in article 149 of the Criminal Code to exclude degrading conditions and overwork.[91] Dominicans stated that the number of labour inspectors has fallen considerably.[92]

47. JS13 stated that the "dirty list" of slave labour developed by the Ministry of Labour in 2003 was one of the most innovative strategies for combating modern slavery. Since December 2014, publication of the list has been blocked by judicial order.[91] Dominicans stated that in May 2016, following long governmental negotiations, a new list was drawn up on the order of the Ministry of Labour.[92]

*Right to privacy and family life*[93]

48. JS5 stated that regarding the recommendation on the right to privacy and women, there was no specific law guaranteeing the right to privacy and confidentiality in gender related violence.[94] JS5 observed the trend by law enforcement agencies to use the expansion of digital communications to interfere with privacy.[95]

### 3. Economic, Social and Cultural Rights

*Right to work and to just and favourable conditions of work*[96]

49. JS13 noted that degrading working conditions were common in infrastructure projects in remote locations, such as the Santo Antônio/Jirau factory in the north of the country, where substandard housing conditions and overwork had caused workers to riot in protest of their working conditions.[97]

50. JS13 reported that the southern region of Minas Gerais has seen the largest number of cases of slave-like working conditions in Brazilian coffee plantations, including ones that have been certified and have received awards for the production of so-called sustainable coffee.[98]

*Right to social security*[99]

51. JS9 warned that if PEC55 passed, it will disrupt the financing of Brazilian social policies by eliminating the earmarking of revenues for education and the social protection budget, comprised of health policies, social security, and social assistance.[100]

52. JS11 highlighted the social inclusion processes carried out in recent years through cash transfer policies, real increases in the minimum wage and the existence of social security schemes. It warned that PEC55 would freeze social spending for 20 years and that social security entitlements would be restricted.[101]

53. JS13 indicated that when rural workers wish to claim their right to retire by submitting a declaration of rural activity, in many cases the landowners who hired them informally refuse to issue that document, thereby making it difficult for rural workers to substantiate their decades of rural labour with the National Social Security Institute.[102]

*Right to an adequate standard of living*[103]

54. JS6 highlighted that despite advancing in the reduction of poverty, especially through income transfer programs, Brazil had failed to identify and fully meet the specificities of the cases of indigenous peoples and promote an effective improvement in living conditions, without imposing an alien way of life.[104]

55. In relation to recommendations 119.131 and 119.145,[105] JS9 noted that the failure to implement necessary measures to protect and promote the access to land of traditional peasant, indigenous and quilombola communities had led to numerous human rights violations; in particular, the rights to an adequate standard of living, adequate housing, food and water.[106]

56. JS3 was concerned by the Proposed Amendment to the Constitution PEC55 which determines that no investment in social areas may exceed the inflation adjustment for 20 years.[107]

*Right to health*[108]

57. JS9 noted that the Unified Health System was currently being dismantled through various proposals to limit its scope or to privatize it.[109] JS26 reported challenges such as

unjustifiably high prices of medicines that threatened public health system sustainability and access to medicines.[112]

58. JS26 expressed that despite the HIV/AIDS universal access policy being guaranteed by law, the infection rate had risen, public HIV/AIDS treatment was financially undermined and the mortality rate had risen in some regions.[113]

59. In relation to the recommendation on sexual and reproductive rights JS4 drew attention that Brazil had restrictive legislations. Abortion was only allowed in cases involving either risk to the woman's life or rape, and in cases of foetal anencephaly.[114] Center for Reproductive Rights (CRR) asserted that Brazil continued to actively prosecute women who had unlawful abortions.[115] JS1 noted that access to legal abortion was not always available for victims of sexual violence.[116]

60. JS4 referred to conservative forces in Congress against sexual and reproductive health, as part of a political strategy organized under the "right to life of unborn children".[117]

61. CRR reported that in the north-east (the poorest and least developed region of Brazil), two-thirds of pregnancy-related deaths occurred as a result of unsafe abortions.[118]

62. CRR acknowledged various maternal health policies to address maternal health care more generally; however, a number of these policies were formulated from the perspective of the foetus rather than from the perspective of the woman.[119]

63. Regarding Zika-related microcephaly, JS4 and CRR stated that Brazil runs the risk of counteracting the measures needed to guarantee women's sexual and reproductive health, as expressed by the World Health Organization and the Office of the United Nations High Commissioner for Human Rights.[120] With a different position, ADF International expressed that liberalization of the law did nothing to prevent the spread of the virus.[121] JS4 and CRR noted that the Brazilian Ministry of Health published its most recent guidelines in response to Zika-related microcephaly, which correctly recognized that proper contraceptive use will play a large role in curbing the impact of the Zika epidemic; however, it failed to address the barriers for poor, Afro-Brazilians and young women.[122]

64. JS6 acknowledged some progress with the creation of a subsystem of indigenous healthcare; however, indigenous peoples denounced cases of irregularities in the healthcare services and a lack of effective indigenous monitoring of the system.[123]

65. Cultural Survival stated that the First National Survey of Indigenous People's Health and Nutrition in Brazil concluded that the disproportion of sick indigenous children represented the lack of medical services and sanitation accessible to indigenous communities.[124]

66. JS27 observó que la alarmante situación de salud en las comunidades Kanamari del medio río Juruá.[125] Hutukara Associação Yanomami (HAY) considered that Brazil should ensure Yanomami's and Ye'kwana's participation at Brazil and Venezuela bi-lateral talks concerning the protection of their territories and improving their health conditions.[126]

*Right to education*[127]

67. JS3 acknowledged that the National Education Plan (NEP) 2014-2024, represented an important achievement, and was an important planning tool.[128]

68. Instituto de Desenvolvimento e Direitos Humanos (IIDH) pointed to the challenge of developing indicators for use in monitoring and assessing policies on human rights education.[129]

69. Marist International Solidarity Foundation (FMSI) acknowledged that the dropout rate at the primary and secondary levels fell between 2008 and 2013; however, the dropout rate remains a concern.[130]

70. JS3 warned that the advancement of the private sector in virtually all stages and types of education contributed to increased educational inequalities and the weakening of the public sector. The sale of private systems of standardized teaching and packages for planning and management to public schools was worrying.[131]

71. JS3 noted that Brazil had not accomplished recommendations 119.11, 119.47, and 119.94[122] on gender equality, since the withdrawal of gender and sexuality related issues from education plans. Under pressure from religious leaders, local representatives in at least 12 of the 27 Brazilian states removed from Education Plans strategies aimed at overcoming gender, sexual orientation and race inequalities.[123] JS15 noted the exclusion suffered by LGBTI people in school and universities environments.[124]

72. JS15 drew attention that the "School without Party" Program law projects attacked basic human rights such as the right to freedom of expression and the right to education, failing to ensure school as a plural space of knowledge.[125]

73. JS15 acknowledged the advance expressed in national indicators on education related to access of women to schooling; however, this achievement was insufficient to affirm that Brazil had reached equity between men and women in education.[126]

74. JS6 noted that only around 30% of indigenous schools used indigenous languages in their teaching.[127] JS10 asserted that education in indigenous villages had been characterised by the low quality of teaching, precarious infrastructure and an absence of pedagogical practices specific to indigenous contexts.[128]

75. JS10 considered that although under suspicion, the proposal to create the Ethnoeducational Territories represented an innovation, revealing a proactive stance on the part of the Ministry of Education (MEC) in seeking to organise a model that brings together representatives of the federal government, the education systems, indigenous teachers, civil society and universities.[129]

76. JS27 reported that not a single school had been built in Kanamari communities by the municipalities of the region.[130]

77. JS3 and JS25 acknowledged that Brazil had made important legal progress regarding afro-descendent education; however, there were various limits of this advance, therefore Brazil did not accomplish recommendation 119.159.[131]

78. JS19 considered that recommendation 119.158[132] had not been implemented fully. In rural areas, it noted students and teachers travelled long distances to arrive at schools, had inadequate school buildings, infrastructure, access to internet, or even electricity.[133]

## 4. Rights of specific persons or groups

*Women*[134]

79. JS3 noted the lack of policies to face gender inequalities also reflected on violence against women, which, in 2013, was responsible for the death of about 5,000 women. In the same year, 500,000 cases of rape or attempted rapes were reported.[135]

80. JS1 reported that only 35 percent of rape cases were reported mostly due to lack of faith in a justice system that will take claims seriously. This was underscored by a recent report on attitudes towards gender based violence in which one third of the Brazilian population considered women guilty when raped.[136]

81. Regarding recommendation 119.90,[137] JS19 noted that Brazil was still lacking in specialized courts to care for women who were the victims of violence. There are 96 such courts, but according to the National Justice Council there should be at least 120 in the country.[138]

82. JS6 perceived a worsening of cases of violence against indigenous women, including sexual violence. The national policies for combating discrimination and violence against women were unable to approach the issue with specific attention to the context of indigenous peoples. There was a tendency for the situation to worsen with the reduction in the status of the Ministry of Policies for Women to a subarea of the office for human rights.[139]

*Children*[146]

pliance with recommendation 119.129,[151]
es in maternity wards and setting up the
[152]

nber of Deputies approved, in the second
o. 171/1993, which will lower the age of
certain offences and that the Senate has
rison terms for adolescents from 3 to 10
acted, it would violate international norms,
rosecuted as adults.[154]

ble black and indigenous children showed
ted in order to follow recommendation

cases of violence to be reported directly to
It had increased reporting, but there was a

sful efforts to implement recommendation
eved with the help of the Bolsa Familia
-borns with primary health care.[159]

ent of indicative ratings, the broadcasting of
f advertisements geared towards children in
of Justice has ruled that the mere fact that
abusive and illegal.[161]

*Persons with disabilities*[162]

taken positive measures that address
s UPR, such as the 2015 disability rights

tion and number of public schools that are
o not have adapted toilet facilities. It noted
85 per cent) were not accessible for persons
facilities. In urban areas, 62,429 of 82,879
ation.[166]

*Minorities and indigenous peoples*[167]

the violation of the right to consultation to
Pires and São Manoel Hydroelectric Dams,
law bills and constitutional amendments
ntly passing through Congress without

een the Governments of Peru and Brazil are
on.[167]

ment to continue the demarcation process of
everal demarcation processes were pending,
ers were awaiting approval by the executive
the Federal Indigenist Agency (FUNAI).[168]
TP CH reported that Brazil failed to comply
167 and 119.168.[169]

ional peasant, indigenous and quilombolas
plementation of the policies relating to the
ted that there had been no progress in the
ds.[171] JS28 reported that demarcation has not
[172] JS6 (6) and Cultural Survival (4) expressed

that the stagnation in the demarcations was accompanied by the growth of large scale agribusiness and extractive projects.[173]

95. UNPO and other organizations[174] noted that Congress was increasingly dominated by a "ruralist bloc", pushing for laws such as the PEC215/2000, which was a direct threat to indigenous territorial rights by moving the responsibility for the demarcation of indigenous territories from the executive to the legislative branch and by opening concluded demarcation processes up for reconsideration. JS6 noted that PEC215/2000 was the most dangerous legislative initiative to the rights of indigenous peoples and quilombola communities.[175]

96. JS9 expressed that the recommendations aimed at ensuring the rights of indigenous peoples and afro-descendants 119.162[176] and at ensuring territorial and cultural rights of indigenous peoples 119.163, 119.169,[177] were not fully implemented.[178]

97. JS6 asserted that FUNAI experienced a serious shrinkage of staff and resources, and even had several of its units attacked by anti-indigenous movements, including the destruction and burning of buildings and official vehicles, and staff threatened.[179] JS22 noted that FUNAI operated with only 36% of its capacity.[180] STP CH asserted that FUNAI was not capable of fulfilling the tasks defined in the Brazilian constitution.[181]

98. JS8 noted that, notwithstanding the adoption of legislation on policies to protect isolated peoples, there is a need for greater investment in FUNAI and the Special Secretariat for Indigenous Health (SESAI).[182] JS8 reported that, since 2014, a series of contacts have taken place with isolated indigenous peoples along the Brazil-Peru border and that emergency action is therefore required to ensure the physical and cultural survival of these peoples.[183]

99. JS12 referred to the adverse effects of a cluster of large-scale public/private port and industrial projects near Recife.[184] Articulação Nacional de Quilombos (ANQ) noted intense pressures of the "Condomino Estrondo" (Formosa do Rio Preto, Bahia) against traditional communities.[185] JS27 reported that the Kanamari were harassed by the local population.[186]

*Migrants, refugees and asylum seekers and internally displaced persons*[187]

100. JS16 noted that Brazil has seen new migration flows in the past four years, including from Haiti and Africa, and a 2,868 per cent rise in asylum claims.[188]

101. Regarding recommendation 119.170,[189] JS16 indicated that the Alien Statute was based on the assumption that migration posed a risk to national security and Brazilian workers. Moreover, it promoted selective migration, recognized rights only for resident migrants, denied migrants their political rights and made it impossible for individuals to regularize their migration status.[190]

102. JS16 noted that many migrants and asylum seekers arriving in Brazil via Guarulhos International Airport (through the *Espaço Conector* in Terminal 3) have been prevented from either entering the country or continuing their journey on connecting flights.[191]

*Notes*

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

| | |
|---|---|
| AccessNow | AccessNow (United States of America); |
| ADF International | Alliance Defending Freedom International (Switzerland); |
| AI | Amnesty International (United Kingdom of Great Britain and Northern Ireland); |
| AIDA | Interamerican Association for Environmental Defense (Peru); |
| AJD Brasil | Associação Juízes para a Democracia (Brazil); |
| ANQ | Articulação Nacional de Quilombos (Brazil); |
| APG23 | Association "Comunità Papa Giovanni XXIII" (Italy); |

| | |
|---|---|
| CRR | Center for Reproductive Rights (United States of America); |
| CJT | Centro de Estudos sobre Justiça de Transição (Brazil); |
| CONECTAS | Conectas Human Rights (Brazil); |
| CS | Cultural Survival (United States of America); |
| Davida | Davida: Prostituição, Direitos Civis e Saúde (Brazil); |
| Dominicans | Dominicans for Justice and Peace (Switzerland); |
| FFF | Four Freedom Forum (United States of America); |
| FMSI | Marist International Solidarity Foundation (Switzerland); |
| GG | The Good Group (United States of America); |
| Global Compact | Global Compact (Brazil); |
| HAY | Hutukara Associação Yanomami (Brazil); |
| HRW | Human Rights Watch (Switzerland); |
| IDDH | Instituto de Desenvolvimento e Direitos Humanos (Brazil); |
| IEPAS | Instituto de Estudos e Pesquisas em AIDS de Santos (Brazil); |
| OHR | Oceania Human Rights (United States of America); |
| Omega Research Foundation | Omega Research Foundation (United Kingdom of Great Britain and Northern Ireland); |
| RSF-RWB | Reporters Without Borders International (France); |
| STP CH | Society for Threatened Peoples Switzerland (Switzerland); |
| UNPO | Unrepresented Nations and Peoples Organization (Netherlands). |

*Joint submissions:*

| | |
|---|---|
| JS1 | **Joint submission 1 submitted by:** Equality Now (United States of America); CLADEM Brazil (Brazil); and Vance Center (United States of America); |
| JS2 | **Joint submission 2 submitted by:** PEN International (United Kingdom of Great Britain and Northern Ireland); PEN Canada (Canada); and University of Toronto Faculty of Law (Canada); |
| JS3 | **Joint submission 3 submitted by:** Brazilian Campaign for the Right to Education; Ação Educativa, Latin-American Campaign for the Right to Education (CLADE); National Association of Centers for the Defense of Child Rights (Anced) (Brazil); |
| JS4 | **Joint submission 4 submitted by:** Sexual Rights Initiative (Canada); IPAS Health, Access, Rights (United States of America); |
| JS5 | **Joint submission 5 submitted by:** Coding Rights; Privacy LatAm; and Privacy International (PI) (United Kingdom of Great Britain and Northern Ireland); |
| JS6 | **Joint submission 6 submitted by:** APIB — Articulação dos Povos Indígenas do Brasil; RCA — Rede de Cooperação Amazônica; Plataforma de Direitos Humanos — Dhesca Brasil; APOINME — Articulação dos Povos e Organizações Indígenas do Nordeste, Minas Gerais e Espírito Santo; Conselho Terena; Comissão Guarani Yvyrupá; ARPINSUDESTE — Articulação dos Povos Indígenas do Sudeste; ARPINSUL — Articulação dos Povos Indígenas do Sul; ATY GUASSU — Grande Assembleia do Povo Guarani; COIAB — Coordenação das Organizações Indígenas da Amazônia Brasileira; ATIX — Associação Terra Indígena Xingu; AMAAIC — Associação do Movimento dos Agentes Agroflorestais Indígenas do Acre; APINA — Conselho das Aldeias Wajãpi; FOIRN — Federação das Organizações Indígenas do |

| | |
|---|---|
| | Rio Negro; HAY — Associação Yanomami; CIR — Conselho Indígena de Roraima; OPIAC — Organização dos Professores Indígenas do Acre; Wyty-Catë — Associação Wyty-Catë dos Povos Indígenas Tenbera do Maranhão e Tocantins; OGM — Organização Geral Mayuruna; CIMI — Conselho Indigenista Missionário; CTI — Centro de Trabalho Indigenista; CPI-AC — Comissão Pró-Índio do Acre; CPI-SP — Comissão Pró-Índio de São Paulo; Conectas Direitos Humanos; IEB — Instituto Internacional de Educação do Brasil; Iepé — Instituto de Pesquisa e Formação Indígena; ISA — Instituto Socioambiental; FIAN Brasil; Justiça Global (Brazil); |
| JS7 | **Joint submission 7 submitted by:** Indigenous Missionary Council (CIMI); FIAN Brazil; JUSTIÇA GLOBAL; and Association of Judges for Democracy (Brazil); |
| JS8 | **Joint submission 8 submitted by:** Comissão Pró-Índio do Acre/Comission Pro Indigena do Acre (CPI-Acre); Asociación del Movimiento de Agentes Agroforestales Indígenas del Acre (AMAAIC); Organización de los Profesores Indígenas del Acre (OPIAC) (Brazil); |
| JS9 | **Joint submission 9 submitted by:** Conference of the Franciscan Family of Brazil — CFFB; The Brazilian Commission for Justice and Peace — CBJP; Caritas Brazil; Pastoral Land Commission — CPT; Interfranciscan Service for Justice, Peace and Ecology — SINFRAJUPE (Brazil); |
| JS10 | **Joint submission 10 submitted by:** OPIR — Organização de Professores Indígenas de Roraima; OPRIMT — Organização dos Professores da Educação Escolar Indígena do Mato Grosso; OPIAC — Organização dos Professores Indígenas no Acre; Iepé — Instituto de Pesquisa e Formação Indígena (Brazil); |
| JS11 | **Joint submission 11 submitted by:** COALICION: Articulación para el Monitoreo de los Derechos Humanos en Brasil (Brazil); |
| JS12 | **Joint submission 12 submitted by: Conectas Direitos Humanos; Forum Suape Espacio Socio-ambiental (Brazil);** |
| JS13 | **Joint submission 13 submitted by:** Conectas Direitos Humanos; Articulacoes de los Empleados/as Rurales de Minas Gerais (ADERE-MG); Movimento de los Trabajadores Rurales Sin Tierra/Regional Sur de Minas MG (MST/SUL/MG); Central Unica de los Trabajadores/Regional Sur de Minas Gerais (CUT/SUL/MG); Sindicato de los Empleados Rurales de la Region Sur de Minas Gerais (SERRSMG); Sindicato de los Empleados Rurales de Carmo do Cachoeira MG (SERCAC) (Brazil); |
| JS14 | **Joint submission 14 submitted by:** Amazon Human Rights Clinics Network; University of the Joinville Region; Para Federal University; Amazonas State University; University of Brasilia (Brazil); |
| JS15 | **Joint submission 15 submitted by:** Institute for Development and Human Rights (IDDH); Latin American and Caribbean Committee for the Defense of Women's Rights (CLADEM BRA/JL); "Maria Augusta Thomaz" Human Rights Clinic (PUC-SP); Specialized Center for the Promotion and Defense of Women's Rights (NUDEM); Ecos — Communications |

| | |
|---|---|
| | and Sexuality; Geledes — Black Women's Institute; Educational Action, Advisory, Research and Information; Feminist Network of Jurist (deFEMde) (Brazil); |
| JS16 | **Joint submission 16 submitted by:** Conectas Derechos Humanos; Misión Paz. (Brazil); |
| JS17 | **Joint submission 17 submitted by:** Rede Justiça Criminal. Associação pela Reforma Prisional; Conectas Direitos Humanos; Instituto de Defensores de Direitos Humanos; Instituto de Defesa do Direito de Defesa; Instituto Terra, Trabalho e Cidadania; Justiça Global; Instituto SouadPaz (Brazil); |
| JS18 | **Joint submission 18 submitted by:** CIVICUS: World Alliance for Citizen Participation (South Africa); and Conectas Human Rights (Brazil); |
| JS19 | **Joint submission 19 submitted by:** IIMA - Istituto Internazionale Maria Ausiliatrice; VIDES International — International Volunteerism Organization for Women, Education and Development (Switzerland); |
| JS20 | **Joint submission 20 submitted by:** Oficina de Asesoría Jurídica a las Organizaciones Populares — GAJOP; la Justicia Global; la Asociación de los Centros de Defensa de Niños y Adolescentes Sesión DNI Brasil — ANCED/DNI Brasil; la Organización Mundial Contra la Tortura — OMCT; el Centro de Defensa de Niños y Adolescentes de Ceará — CEDECA CEARA; el Centro de Defensa de Niños y Adolescentes Bertholdo Weber — CEDECA PROAME; y la Red Nacional de Defensa del Adolescente en Conflicto con la Ley — RENADE (Brazil); |
| JS21 | **Joint submission 21 submitted by:** Artigo 19, Associação de Advogados de Trabalhadores Rurais no Estado da Bahia — AATR, Associação de Apoio a Criança e ao Adolescente — Amencar, Central do Movimentos Populares, Centro de Defesa de Direitos Humanos de Sapopemba, Centro de Defesa de Direitos Humanos Gaspar Garcia — SP, Centro de Defesa dos Direitos Humanos da Serra —ES, Coletivo Margarida Alves — MG, Comissão Pastoral da Terra — CPT, Conselho Indigenista Missionário — CIMI, CPP — Conselho Pastoral da Pesca, Dignitatis — Assessoria Técnica Popular, Grupo Tortura nunca mais da Bahia, Instituto de Direitos Humanos — MG, Justiça Global, Lajusa — Laboratório de Justiça Global e Educação em Direitos Humanos na Amazônia, Movimento dos Atingidos por Barragens, Movimento dos Trabalhadores Rurais Sem Terra, Movimento Nacional de Direitos Humanos, Rede Justiça nos Trilhos, Sociedade Maranhense dos Direitos Humanos, Sociedade Paraense de Defesa dos Direitos Humanos — SDDH, Terra de Direitos (Brazil); |
| JS22 | **Joint submission 22 submitted by:** Conectas Human Rights; Instituto Socioambiental; Rapporteur on Indigenous Peoples of the DHESCA Brazil Platform (Brazil); |
| JS23 | **Joint submission 23 submitted by:** Artículo 19; Instituto Alana; Intervozes — Coletivo Brasil; ANDI (Brazil); |
| JS24 | **Joint submission 24 submitted by:** ARTICLE 19, Associação Brasileira de Defesa do Consumidor (PROTESTE), Instituto de Manejo e Certificação |

| | |
|---|---|
| | Ambiental (Imaflora), and National Federation of Radialists (FITERT) (Brazil); |
| JS25 | **Joint submission 25 submitted by:** National Articulation Quilombo — ANQ (Brazil); |
| JS26 | **Joint submission 26 submitted by:** Grupo de Trabalho sobre Propriedade Intelectual: ABIA — Associação Brasileira Interdisciplinar de AIDS (Brazilian Interdisciplinary AIDS Association); Conectas Direitos Humanos (Conectas Human Rights); FENAFAR — Federação Nacional dos Farmacêuticos (National Federation of Pharmacists); Fórum das ONG-AIDS do Estado do Maranhão; Fórum das ONG-AIDS do Estado de São Paulo; Fórum das ONG-AIDS do Estado do Rio Grande do Sul; GAPA/SP—Grupo de Apoio à Prevenção à AIDS de São Paulo (Support Group for AIDS Prevention in São Paulo); GAPA/RS — Grupo de Apoio à Prevenção à AIDS do Rio Grande do Sul (Support Group for AIDS Prevention in Rio Grande do Sul); GAPA/BA — Grupo de Apoio à Prevenção à AIDS da Bahia (Support Group for AIDS Prevention in Bahia); Gestos — Soropositividade, Comunicação e Gênero (GESTOS — HIV+, Communication and Gender); GIV — Grupo de Incentivo à Vida (Incentive to Life Group); Grupo Pela Vidda/SP (Group for Life in São Paulo); Grupo Pela Vidda/RJ (Group for Life in Rio de Janeiro); GRAB — Grupo de Resistência Asa Branca (Resistance Group Asa Branca); IDEC— Instituto Brasileiro de Defesa do Consumidor (Brazilian Institute for Consumers Protection); RNP+/MA — Network of People Living with HIV/AIDS Maranhão; RNP+/PI — Network of People Living with HIV/AIDS Piaui; UAEM Brasil — Universidades Aliadas por Medicamentos Essenciais (Universities Allied for Essential Medicines Brazil) (Brazil); |
| JS27 | **Joint submission 27 submitted by:** Asociacion del Pueblo Kanamari del Valle del Yavari (AKAVAJA); and Centro de Trabajo Indigenista (CTI) (Brazil); |
| JS28 | **Joint submission 28 submitted by:** Comision Guarani Yvyrupa (CGY); and Centro de Trabajo Indigenista (CTI) (Brazil). |

[7] The following abbreviations are used in UPR documents:

| | |
|---|---|
| ICERD | International Convention on the Elimination of All Forms of Racial Discrimination; |
| ICESCR | International Covenant on Economic, Social and Cultural Rights; |
| OP-ICESCR | Optional Protocol to ICESCR; |
| ICCPR | International Covenant on Civil and Political Rights; |
| ICCPR-OP 1 | Optional Protocol to ICCPR; |
| ICCPR-OP 2 | Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty; |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women; |
| OP-CEDAW | Optional Protocol to CEDAW; |
| CAT | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; |
| OP-CAT | Optional Protocol to CAT; |
| CRC | Convention on the Rights of the Child; |
| OP-CRC-AC | Optional Protocol to CRC on the involvement of children in armed conflict; |
| OP-CRC-SC | Optional Protocol to CRC on the sale of children, child prostitution and child pornography; |

| | |
|---|---|
| OP-CRC-IC | Optional Protocol to CRC on a communications procedure; |
| ICRMW | International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; |
| CRPD | Convention on the Rights of Persons with Disabilities; |
| OP-CRPD | Optional Protocol to CRPD; |
| ICPPED | International Convention for the Protection of All Persons from Enforced Disappearance. |

[3] For relevant recommendations see A/HRC/21/11, paras. 119.3, 119.7-119.10, 119.29-119.30, 119.41.
[4] A/HRC/21/11 recommendations: 119.7 (Philippines) and, 119.8 (Chile).
[5] JS16, P.3. See also JS9, p.9.
[6] JS9, p.9.
[7] A/HRC/21/11recommendation 119.10 (Chad).
[8] JS18, P.3.See also Four Freedoms Forum, p.2.
[9] For relevant recommendations see A/HRC/21/11, paras. 119.4-119.6; 119.16-119.26; 119.31, 119.33, 119.35; 119.39, 119.49, 119.60, 119.75, 119.78, 119.83, 119.86, 119.103, 119.110, 119.115, 119.140.
[10] JS11, P.6.
[11] A/HRC/21/11 recommendations: 119.4 (Slovakia) and 119.5 (Slovenia).
[12] CJT, P.2.
[13] For relevant recommendations see A/HRC/21/11, paras. 119.24, 119.28, 119.50, 119.53, 119.55, 119.97, 119.134, 119.38-119.39, 119.44, 119.49, 119.54, 119.156.
[14] JS6, P.8. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (Holy See), 119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany).
[15] JS15, p.4.
[16] For relevant recommendations see A/HRC/21/11, paras. 119.1 and 119.155.
[17] The Proposed Amendment to the Constitution (PEC) 55 was originally introduced as PEC 241.
[18] JS11, p.5.
[19] JS9, p.5.
[20] See the Global Compact submission for the universal periodic review of Brazil, p.3.
[21] See the Global Compact submission for the universal periodic review of Brazil, p.3.
[22] JS14 p.3. See also JS22, p.4; JS11, p.4; JS21, p.6.
[23] JS22, p.7.
[24] JS22, p.4.
[25] JS14, p.7.
[26] JS22, p.3.
[27] Oceania HR, p.3.
[28] JS18, p.4.
[29] JS 24, p.4.
[30] For relevant recommendations see A/HRC/21/11, paras. 119.11-119.15, 119.59-119.69, 119.71-119.78, 119.110.
[31] AI, pp.1-2. A/HRC/21/11, Recommendations 119.62 (Australia) and 119.65 (Spain), 119.120 (Slovakia), 119.123 (Germany) and 119.59 (Namibia); A/HRC/21/11/Add.1, paragraph 15.
[32] CONECTAS, pp.2-4. A/HRC/21/11, recommendations 119.60 (Denmark) and 119.61 (Republic of Korea).
[33] CONECTAS, pp. 3-4.
[34] JS6, p.8. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See),119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany) and UNPO, p.6. A/HRC/21/11,recommendation 119.82 (Switzerland).
[35] DAVIDA, p.2.
[36] JS18, p.12. A/HRC/21/11, recommendation 119.65 (Norway).See also JS 24, p.4; AI, p.5; Omega Research Foundations, p.2.
[37] JS21, pp.12-13 and AI, p.5. See also: JS24, pp. 4-6; JS18, pp.4-8; JS2, pp.2-8; RSF-RWB, pp.1-2.
[38] AI, pp.2-4.
[39] Omega Research Foundation, pp.1-2. A/HRC/21/11, recommendations 119.163 (Netherlands) and 119.64 (Norway).

[60] AI, p.2. A/HRC/21/11, Recommendations 119.11(Sweden), 119.12 (United Kingdom), 119.13 (Australia), 119.14 (Denmark), 119.63 (Uzbekistan), 119.64 (Indonesia), 119.66 (Netherlands), 119.68 (Slovenia) and 119.122 (Czech Republic).
[61] Omega Research Foundation, p.2. A/HRC/21/11, recommendations 119.11, 119.12 and 119.14.
[62] CONECTAS, p.6. A/HRC/21/11, recommendations 119.63 (Uzbekistan) and 119.64 (Indonesia).
[63] JS17, p.2. A/HRC/21/11recommendations: 119.66 (Netherlands), 119.69 (Spain), 119.71 (United States), 119.76 (Thailand) and 119.77 (Greece).See also APG23, p.2; AI p.4.
[64] JS 17, p.6. A/HRC/21/11recommendations: 119.66 (Netherlands), 119.69 (Spain), 119.71 (United States), 119.76 (Thailand) and 119.77 (Greece).See also HRW, p.3; IEPAS, p.2.
[65] APG23, p.2.
[66] JS 17, pp.3-4. A/HRC/21/11recommendations: 119.66 (Netherlands), 119.69 (Spain), 119.71 (United States), 119.76 (Thailand) and 119.77 (Greece).
[67] HRW, p.5.
[68] JS20, pp. 1-6. See also AI p.4.
[69] For relevant recommendations see A/HRC/21/11, paras. 119.90; 119.110-119.126.
[70] HRW, p.2. A/HRC/21/11 recommendations: 119.65 (Spain), 119.122 (Czech Republic) and 119.123 (Germany).
[71] JS17, p.9. A/HRC/21/11recommendations: 119.66 (Netherlands), 119.69 (Spain), 119.71 (United States), 119.76 (Thailand) and 119.77 (Greece). See also HRW, p.4.
[72] CONECTAS, p.7. A/HRC/21/11, recommendation 119.64 (Indonesia).
[73] JS17, p.10. A/HRC/21/11recommendations: 119.66 (Netherlands), 119.69 (Spain), 119.71 (United States), 119.76 (Thailand) and 119.77 (Greece).
[74] JS17, p.11. A/HRC/21/11recommendations: 119.66 (Netherlands), 119.69 (Spain), 119.71 (United States), 119.76 (Thailand) and 119.77 (Greece).
[75] AJD, pp.5-8.
[76] JS24, p.5.
[77] JS2, pp.5-6. A/HRC/21/11, recommendations 119.31 (Cape Verde), 119.59 (Namibia), 119.79 (Netherlands), 119.120 (Slovakia) and 119.122 (Czech Republic).
[78] JS6, p.7 A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See),119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany) and JS7, p.11.
[79] JS7, p.7. See also AIDA, p.1. Recommendations 119.138 (Thailand) and 119.143 (China).
[80] JS21, p.5.
[81] A/HRC/21/11, recommendation 119.115 (Chile).
[82] CJT, p.3.
[83] HRW, p.1.
[84] A/HRC/21/11 recommendatsons: 119.124 (Paraguay), 119.125 (Argentina) and 119.126 (France).
[85] CJT, pp.3-4.
[86] For relevant recommendations see A/HRC/21/11, paras. 119.79-119.89; 119.130; 119.144; 119.146; 119.148.
[87] RSF-RWB, p.4.
[88] A/HRC/21/11, recommendation 119.130 (Estonia).
[89] JS18, pp.8-9. See also JS 2, p.7.
[90] RSF-RWB, p.4.
[91] JS2, p.2.
[92] JS24, p.3.
[93] AccessNow, p.3.
[94] JS2, p.8. A/HRC/21/11, recommendation 119.130 (Estonia).See also JS18, p.9.
[95] JS24, p3. See also JS2, p.8; JS5, p.7.
[96] AccessNow, p.2.
[97] JS18, p.4. A/HRC/21/11recommendations: 119.70 (Turkey), 119.80 (Norway), 119.64 (Indonesia), 119.67 (Republic of Korea) among others.
[98] JS24, pp.4-6. See also JS18, pp.4-8; JS2, pp.2-8; RSF-RWB, p.1.
[99] JS2, p.2. A/HRC/21/11, recommendation 119.89 (France).
[100] RSF-RWB, p.2. A/HRC/21/11, recommendation 119.89 (France).
[101] JS18, p. 4. See also JS21, pps.14-15; JS24, p.5; JS2, p.2; AI, p.1.
[102] JS2, p.2. A/HRC/21/11, recommendations 119.82(Switzerland), 119.83 (Timor-Leste), 119.84 (United Kingdom), 119.85 (Australia), 119.87 (Poland), 119.88 (Czech Republic), 119.89 (France), 119.80 (Norway), 119.81 (Spain) and 119.86 (Belgium).
[103] JS18, p.8, JS21, p.7 and Cultural Survival, p.5.
[104] JS6, p.10. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy

See),119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany).

[85] DAVIDA, p.3.

[86] JS24, pp.1-2.

[87] JS6, p.11 A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See),119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany) and Cultural Survival, p.3.

[88] For relevant recommendations see A/HRC/21/11, paras. 119.98-119.103; 119.106-119.107; 119.119.

[89] JS9, pp.8-9. See also JS14, p.10.

[90] JS13, pp.3-10.

[91] JS13, p.4. See also JS9, pp.8-9; Dominicans, p.5.

[92] Dominicans, p.4.

[93] JS13, pp. 5-6. See also JS9, p.8-9; JS4, p.11; JS4, p.11.

[94] Dominicans, pp.3-4. . A/HRC/21/11, recommendations 119.106 (Iran), 119.107 (Iraq) and 119.119 (Paraguay).

[95] For relevant recommendations see A/HRC/21/11, paras. 119.27; 119.127-119.129.

[96] JS5, pp.2-11. A/HRC/21/11, recommendation 119.116 (Estonia).

[97] JS5, p.6.

[98] For relevant recommendations see A/HRC/21/11, paras. 119.43; 119.107;119.119; 119.151-119.152; 119.154.

[99] JS13, p.3.

[100] JS13, p.8.

[101] For relevant recommendations see A/HRC/21/11, para. 119.133.

[102] JS9, p.5.

[103] JS11, pp.4-6.

[104] JS13, p.10.

[105] For relevant recommendations see A/HRC/21/11, paras. 119.131-119.132; 119.58; 119.135; 119.136-119.137; 119.141-119.145; 119.147; 119.150; 119.153; 119.157; 119.170.

[106] JS6, p.9. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See), 119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany).

[107] A/HRC/21/11, recommendations 119.131 (Morocco) and 119.145 (Cuba).

[108] JS9, p.4.

[109] JS3, pp.4-5.

[110] For relevant recommendations see A/HRC/21/11, paras. 119.146; 119.148-119.149; 119.151; 119.152.

[111] JS9, p.9.

[112] JS26, pp.2-11.

[113] JS26, pp.12-13.

[114] JS4, pp.1-2. A/HRC/21/11, recommendation 119.149 (France).

[115] CRR, p.3.Recommendations 119.146 (Colombia) and 119.149 (France).See also ADF International, p. 2.

[116] JS1, p.3.

[117] JS4, p.4. A/HRC/21/11, recommendation 119.149 (France). See also ADF International, p.3.

[118] CRR, p.5. Recommendations 119.146 (Colombia) and 119.149 (France).

[119] CRR, p.4. Recommendations 119.146 (Colombia) and 119.149 (France).

[120] JS4, p.6 A/HRC/21/11, recommendation 119.149 (France). and CRR, pp.1-3. Recommendations 119.146 (Colombia) and 119.149 (France).

[121] ADF International, pp.2-4.

[122] JS4, p.6 A/HRC/21/11, recommendation 119.149 (France).and CRR, pp.1-3.

[123] JS6, p.12. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See),119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany).

[124] Cultural Survival, p.6.

[125] JS27, p.4.

[126] HAY, p.1.

[127] For relevant recommendations see A/HRC/21/11, paras. 119.156-119.161.

[128] JS3, pp.4-5.

[129] IIDH, p.7. See also The Good Group, p.2.

[130] FMSI, pp.3-4. . A/HRC/21/11, recommendations 119.160 (Iran), 119.157 (Palestine) and 119.38 (Slovakia).

[131] JS3, p.6.
[132] A/HRC/21/11recommendations: 119.33 (Colombia), 119.47 (Qatar) and 119.94 (Uzbekistan).
[133] JS3, p.11. See also, JS15, p.4.
[134] JS15, p.4.
[135] JS15, pp.6-8.
[136] JS15, pp.2-3.
[137] JS6, p.11. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See), 119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany).
[138] JS10, pp.3-5.
[139] JS10, p.10.
[140] JS27, p.6.
[141] JS3, p.12 A/HRC/21/11, recommendation 119.159 (Honduras) and JS25, p.8. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.138 (Thailand), and 119.141 (Belgium).
[142] A/HRC/21/11recommendations: 119.158 (Holy See).
[143] JS19, p.8.
[144] For relevant recommendations see A/HRC/21/11, paras. 119.2; 119.45; 119.47; 119.90-119.96; 119.140.
[145] JS3, p.10.
[146] JS1, p.2.
[147] A/HRC/21/11recommendation: 119.90 (Canada).
[148] JS19, pp.9-10.
[149] JS6, p.9. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See), 119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany).
[150] For relevant recommendations see A/HRC/21/11, paras. 119.33; 119.104-119.105; 119.108-119.109; 119.140.
[151] A/HRC/21/11recommendation: 119.129 (Uruguay).
[152] JS19, p.4.
[153] JS20, p.2.
[154] HRW, p.6 and JS19, p.6.
[155] A/HRC/21/11recommendation: 119.162 (Morocco).
[156] JS19, p.3.
[157] JS19, pp.5-6.
[158] A/HRC/21/11recommendation: 119.152 (Iran).
[159] JS19, p.11.
[160] JS23, p.4.
[161] JS23, p.14.
[162] For relevant recommendations see A/HRC/21/11, paras. 119.35,119.39; 119.134;119.136-119.138; 119.140, 119.142.
[163] HRW, p.1.
[164] FMSI, p.4. A/HRC/21/11, recommendations 119.160 (Iran), 119.157 (Palestine) and 119.38 (Slovakia).
[165] For relevant recommendations see A/HRC/21/11, paras. 119.31; 119.140; 119.162-119.169.
[166] JS6, p.13. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See),119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany).See also AI, p1; STP CH, p.2.
[167] JS8, pp.2-3. A/HRC/21/11 recommendation 119.29 (Guatemala).
[168] AI, p.3. A/HRC/21/11, Recommendations 119.163 (Netherlands), 119.164 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland), and 119.169 (Germany), 119.165 (Norway). See also JS7, p.8.
[169] STP CH, p.2. A/HRC/21/11recommendations: 119.164 (Norway), 119.165 (Norway), 119.167 (Slovakia) and 119.168 (Poland).
[170] JS9, p.4.
[171] JS6, pp.4-7. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See), 119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany).See also JS28, p.1.
[172] JS28, p.1.

[173] JS6, p.6 A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See),119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany) and Cultural Survival, p.4. See also UNPO, p.4.

[174] UNPO, p.7. A/HRC/21/11, recommendations 119.163 (Netherlands), 119.164 (Norway), 119.166 (Peru), 119.167 (Slovakia) and 119.169 (Germany).See also the Society for Threatened Peoples, p.2; JS7, p.13; JS6, p.4; JS25, p.5; JS 19, p.3; Cultural Survival, p.3.

[175] JS6, p.6 and JS25, p.5. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (holy See), 119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany). See also JS25, p.4.

[176] A/HRC/21/11recommendation 119.162 (Morocco).

[177] A/HRC/21/11recommendations: 119.163 (Netherlands) and 119.169 (Germany).

[178] JS9, p.3.

[179] JS6, p.5. A/HRC/21/11recommendations: 119.31 (Cape Verde), 119.32 (Ecuador), 119.50 (Turkey), 119.82 (Switzerland), 119.84 (United Kingdom), 119.138 (Thailand), 119.144 (Egypt), 119.158 (Holy See), 119.162 (Morocco), 119.163 (Netherlands), 119.164 (Norway), 119.165 (Norway), 119.166 (Peru), 119.167 (Slovakia), 119.168 (Poland) and 119.169 (Germany).

[180] JS22, p.4. See also AI, p.3; The Society for Threatened Peoples, p.2.

[181] STP CH, p. 2.

[182] JS8, p.12. /HRC/21/11 recommendation 119.29 (Guatemala).

[183] JS8, p.10. /HRC/21/11 recommendation 119.29 (Guatemala).

[184] JS12, pp.2-6.

[185] ANQ, p.5.

[186] JS27, pp.3-4.

[187] For relevant recommendations see A/HRC/21/11, para. 119.170.

[188] JS16, p.2.

[189] A/HRC/21/11recommendation. 119.170 (Holy See).

[190] JS16, pp.4-7.

[191] JS16, pp.8-9. HRC/21/11 recommendation 119.170 (Holy See).